

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SHEPP ELECTRIC COMPANY, INC.,)	CASE NO. 1:20-cv-00452-SO
)	
Plaintiff,)	JUDGE SOLOMON OLIVER, JR.
)	
vs.)	<u>MOTION FOR REASONABLE</u>
)	<u>ATTORNEYS' FEES INCURRED WITH</u>
RUSTY BOYER, <i>et al.</i> ,)	<u>RESPECT TO THE ORDER GRANTING,</u>
)	<u>IN PART, DEFENDANTS' MOTION TO</u>
Defendants.)	<u>SHOW CAUSE</u>

Defendants and Counterclaim Plaintiffs Rusty Boyer and Generator One, LLC (collectively "Defendants"), by and through counsel, respectfully request that the Court award to Defendants the reasonable expenses incurred with respect to the Order granting, in part, Defendants' Motion to Show Cause why Plaintiff should not be held in contempt of court for wrongfully disclosing in a witness deposition the confidential settlement offer Defendants were required to convey to Plaintiff as part of a Court-ordered mediation process. (ECF # 82, PageID #752-753.) The confidential settlement offer has been disclosed, and the violation has occurred and cannot be undone. Defendants incurred reasonable attorneys' fees, in the amount of \$1,800.00, to present this successful aspect of their Motion to Show Cause. (Ex. A: Declaration of Theodore M. Dunn, Jr.) The preservation of the confidentiality of the Court-ordered mediation process is essential to provide adequate assurance to parties who agree to participate, and the goal of preservation is best served by strict enforcement and reasonable sanctions imposed on parties who choose to violate the Court's confidentiality mandates.

For these reasons, Defendants request that the Court exercise its discretion to grant their Motion and order Plaintiff and their counsel to, jointly and severally, pay to Defendants the amount of \$1,800.00 as sanctions and as an award of Defendants' reasonable attorneys' fees, to successfully present this aspect of their Motion to Show Cause to the Court.

Respectfully submitted,

/s/ Theodore M. Dunn, Jr.

THEODORE M. DUNN, JR. (0024195)

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*Counsel for Plaintiffs/Counterclaim- Defendants,
Generator One, LLC and
Rusty Boyer*

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2022, a copy of the foregoing was filed electronically.

Parties may access this filing through the Court's electronic filing system.

/s/ Theodore M. Dunn, Jr.

THEODORE M. DUNN, JR. (0024195)